IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

REVIEW PETITION NO. 41 OF 2005

IN

WRIT PETITION NO. 894 OF 2005

Navin H. Java .. Petitioner

V/s

Special Director,
Enforcement Directorate & Ors. .. Respondents

Mr.Rajiv Patil with Mr.Anand Kulkarni for the Petitioner.

Mr.A.H. Bathija for Respondent No.1.

Mr.Sequeira, Assistant Enforcement Officer, present.

CORAM : H.L. GOKHALE &
S.C. DHARMADHIKARI, JJ.

DATE : 4TH JULY 2005

P.C. :

1. Heard Mr.Patil in support of the Review Petition. Mr.Bathija appears for Respondent No.1.

2. We do not see any reason to recall the order that we have passed on 21st April 2005. We may however add that this order will not preclude the Petitioner, if he so deems it fit, to take proceedings against Respondents Nos.2 and 3 as well as the 1st Respondent for the allegedly wrongful encashment of the bank guarantee. We however note in this behalf the

submission of Mr.Bathija for Respondent No.1 that the encashment of the bank guarantee was perfectly justified on the terms thereof.

3. Review Petition stands disposed of.

(H.L. GOKHALE, J.)

(S.C. DHARMADHIKARI, J.)